

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

MICHAEL TAYLOR

v.

TWIN CITY FIRE INSURANCE
COMPANY

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CIVIL ACTION NO. 5:22-cv-81

NOTICE OF REMOVAL

Pursuant to 28 U.S.C. §§ 1332, 1441, and 1446, Defendant, Twin City Fire Insurance Company (“Twin City”) files this Notice of Removal of the above-captioned action to the United States District Court for the Western District of Texas – San Antonio Division.

This is an insurance coverage and alleged bad faith action. Twin City issued Plaintiff a homeowner’s insurance policy to cover risks of damage to his home. Plaintiff alleges that he made a claim for property damage flowing from a water leak at his home. However, Plaintiff alleges that Twin City failed to properly investigate the claim, or otherwise to indemnify him for the full value of his claim. As such, Plaintiff filed suit in Bexar County, Texas against Twin City to recover damages. Plaintiff asserts claims for alleged breach of contract, as well as alleged violations of the Texas Deceptive Trade Practices Act and the Texas Insurance Code. Plaintiff seeks compensatory damages and/or exemplary damages in an amount of \$250,000 or less. Tex. R. Civ. P. 47(c). Twin City received service of process via certified mail on January 3, 2022, and then filed an answer in Texas state court, denying Plaintiff’s allegations.

Twin City files this Notice of Removal because (1) there is complete diversity of citizenship among the parties, and (2) the amount in controversy, according to Plaintiff’s Original Petition, likely exceeds \$75,000. Specifically, Plaintiff is an individual who is domiciled in Bexar County, Texas. As such, Plaintiff is a citizen of Texas for the purposes of determining whether

diversity of citizenship exists in this matter. Twin City is an insurance company formed under the laws of the state of Indiana, but it maintains its principal place of business at 1 Hartford Plaza, Hartford, Connecticut 06155. As such, Defendant is a citizen of both Indiana and Connecticut for the purposes of determining whether diversity of citizenship exists in this matter. Because no plaintiff shares citizenship with any defendant, complete diversity exists among the parties.

Additionally, because Plaintiff seeks compensatory and exemplary damages in an amount of \$250,000 or less, and because Plaintiff's Original Petition fails to stipulate that he does not seek damages in excess of \$75,000, upon information and belief, this case satisfies the minimum amount in controversy requirements.

Furthermore, because thirty days have not yet passed since Twin City received service of process, the deadline to remove this action has not yet expired. Therefore, this case may be removed pursuant to 28 U.S.C. §§ 1332, 1446, and 1446. A complete list of documents supporting Twin City's removal is attached hereto as Exhibit A.

WHEREFORE, PREMISES CONSIDERED, Twin City removes this action from the County Court at Law No. 10 of Bexar County, Texas to the United States District Court for the Western District of Texas – San Antonio Division, on this 31st day of January, 2022.

Date: January 31, 2022

Respectfully submitted,

CHAMBERLAIN, HRDLICKA, WHITE,
WILLIAMS & AUGHTRY

By: /s/ Steven J. Knight
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CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the above document has been forwarded to counsel for Plaintiff via e-filing pursuant to Fed. R. Civ. P. 5, on January 31, 2022.

/s/ Steven J. Knight
Steven J. Knight

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